

cc: DAE
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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAY 14 2007 *Ag*
at 3 o'clock and 30 min M
SUE BEITIA, CLERK

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED PUBLIC WORKERS,)	CIVIL NO. CV03-00598 DAE LEK
AFSCME, LOCAL 646, AFL-CIO,)	
MUTUAL AID FUND TRUST,)	PLAINTIFF'S MOTION TO
)	STRIKE DEFENDANT'S REPLY
Plaintiffs,)	TO PLAINTIFF'S MEMORANDUM
)	IN OPPOSITION TO
vs.)	DEFENDANT'S MOTION FOR
)	SUMMARY JUDGMENT, FILED
GARY RODRIGUES,)	MARCH 28, 2007, FILED MAY 11,
)	2007; MEMORANDUM IN
Defendant.)	SUPPORT OF MOTION;
)	CERTIFICATE OF SERVICE
)	
)	Hrg. Date: _____
)	Hrg. Time: _____
)	Hrg. Judge: Hon. David Ezra
_____)	


Trial Date: August 28, 2007

PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S REPLY TO
PLAINTIFF'S MEMORANDUM IN OPPOSITION TO DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT,
FILED MARCH 28, 2007, FILED MAY 11, 2007

Plaintiff UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO, MUTUAL AID FUND TRUST ("Mutual Aid Fund") respectfully moves to this Court to strike Defendant's Reply to Plaintiff's Memorandum In Opposition to Defendant's Motion for Summary Judgment, Filed March 28, 2007, filed May 11, 2007 ("Reply Memo"), because the Reply Memo makes new arguments and cites new legal authority that were not raised or cited in Defendant's original Motion for Summary Judgment.

This Motion is pursuant to FRCP Rule 7(b) and Local Rule 7.4 of the Rules of the U. S. District Court for the District of Hawaii, and is based upon the Memorandum In Support attached hereto, and such further argument as may be presented at the hearing hereon.

DATED: Honolulu, Hawaii, May 14, 2007.



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